

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

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|-------------------------------|---|-------------------------------|
| RANDALL COPE, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| vs. |) | Case No. 19-CV-403-SMY |
| |) | |
| ERIC WILLIAMS, Warden, |) | |
| |) | |
| Respondent. |) | |

MEMORANDUM AND ORDER

YANDLE, District Judge:

Petitioner Randall Cope filed a habeas corpus action pursuant to 28 U.S.C. § 2241 to challenge the constitutionality of his confinement. He argued that following *United States v. Davis*, 139 S. Ct. 2319 (2019), his conviction and sentence for use of a firearm during and in relation to a crime of violence should be vacated. Alternatively, he asserted that his conviction is unconstitutional under *Rosemond v. United States*, 572 U.S. 65 (2014). On September 23, 2021, this Court denied Cope’s Petition and entered judgment (Docs. 31 and 32). Cope now moves for reconsideration (Doc. 33).

Under Rule 59(e), the Court may alter or amend its judgment if the movant “clearly establish[es] (1) that the court committed a manifest error of law or fact, or (2) that newly discovered evidence precluded entry of judgment.” *Blue v. Hartford Life & Acc. Ins. Co.*, 698 F.3d 587, 598 (7th Cir. 2012) (quoting *Harrington v. City of Chicago*, 433 F.3d 542, 546 (7th Cir. 2006)). Motions for reconsideration are not appropriate vehicles for re-litigating arguments the Court previously rejected or for arguing issues or presenting evidence that could have been raised during the pendency of the motion presently under reconsideration. *Sigworth v. City of Aurora*,

487 F.3d 506, 512 (7th Cir.2007). In other words, a proper motion to reconsider does more than take umbrage and restate the arguments that were initially rejected during the summary judgment phase. *County of McHenry v. Ins. Co. of the West*, 438 F.3d 813, 819 (7th Cir. 2006).

Cope asserts the Court “did not look far enough” into *Rosemond v. United States*. But he does not identify any newly discovered case law, or a manifest error of law or fact committed by the Court. Accordingly, the Motion for Reconsideration (Doc. 33) is **DENIED**.

IT IS SO ORDERED.

DATED: October 3, 2022



STACI M. YANDLE
United States District Judge